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12 Attorneys for Defendant/Counter-Plaintiff,
 13 KEATING DENTAL ARTS, INC.

14
 15 IN THE UNITED STATES DISTRICT COURT
 16 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 17 SOUTHERN DIVISION

18 JAMES R. GLIDEWELL DENTAL
 19 CERAMICS, INC. dba GLIDEWELL
 LABORATORIES,

20 Plaintiff,

21 v.

22 KEATING DENTAL ARTS, INC.

23 Defendant.

24 AND RELATED COUNTERCLAIMS.

) Civil Action No.
) SACV11-01309-DOC(ANx)

) Honorable David O. Carter

) **DEFENDANT AND**
) **COUNTER-PLAINTIFF**
) **KEATING DENTAL ARTS,**
) **INC.'S PROPOSED VOIR**
) **DIRE QUESTIONS**

) Trial Date: February 26, 2013
) Time: 8:30 a.m.
) Location: Southern Division,
) Courtroom 9D

1 Defendant and Counter-Plaintiff Keating Dental Arts, Inc. (“Keating”)
 2 proposes that the Court ask the members of the jury pool the following questions
 3 during *voir dire*. Keating believes these questions will facilitate jury selection in
 4 this case.

5 **PROPOSED VOIR DIRE QUESTIONS**

- 6 1. Are you a citizen of the United States?
- 7 2. In what town or city do you live (please refrain from providing your
 8 address)? Have you lived there for more than a year?
- 9 3. What is the highest level of education you completed?
 10 a. Did you graduate from high school?
 11 b. Did you obtain a degree from a college or university? If so,
 12 what did you study and what degree did you receive?
- 13 4. Is English your first language? How or where did you learn English?
- 14 5. Do you have any difficulty with your eyesight or hearing?
- 15 6. Do you subscribe to a newspaper, magazine, or publication, whether it
 16 be on-line or in hard print? If not, is there a publication you read fairly
 17 regularly?
 18 a. Which newspapers/magazines/publications do you subscribe to
 19 and/or fairly regularly read?
 20 b. What do you enjoy about that/those publication/s?
- 21 7. Do you use, or have you ever used the Internet?
 22 a. How often do you use the Internet?
 23 b. Have you posted anything onto an Internet site? Which sites?
 24 c. Have you ever requested or been requested to remove anything
 25 that you’ve posted onto an Internet site?
- 26 8. Do you use any social media sites such as Facebook or Twitter? If so,
 27 how frequently do you access social media sites?

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- 1 9. Between TV, newspaper, radio, magazine, Internet, and word of
2 mouth, how do you prefer to get your news? Why?
- 3 10. Do you know, or have you ever heard of, any of the following
4 companies?
- 5 a. James R. Glidewell Dental Ceramics
6 b. Glidewell Laboratories
7 c. Keating Dental Arts, Inc.
- 8 11. If so, what do you know about each company, or what have you heard?
- 9 12. Is there anything about your knowledge about that company or what
10 you have heard that would cause you to be biased either for or against
11 that company in this case?
- 12 13. Have you heard of any of the following terms or product names?
- 13 a. Bruxer zirconia dental crowns and bridges
14 b. brux or bruxing
15 c. teeth grinding
16 d. KDZ Bruxer
17 e. “BruxZir,” spelled B-r-u-x-Capital Z-i-r
- 18 14. If yes, where have you heard of it? If yes, have you used the product?
- 19 15. Do you have a job or are you retired?
- 20 a. If you have a job, where do you work?
21 b. What do you do there?
22 c. Do you supervise others in your job? If so, approximately how
23 many people do you supervise?
24 d. Do you like your job? If not, why?
25 e. If your current job does not reflect what you have done for most
26 of your adult life, what job have you held the
27 longest?

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1 f. If you are retired, where did you work and what did you do there
2 before you retired? Did you like your job? If not, why? Did
3 you supervise others in your job? If so, approximately how
4 many people did you supervise?

5 g. Where do you live? How long have you lived in Southern
6 California? If you are not originally from Southern California,
7 where did you grow up?

8 16. Are you married or living with a significant other? If so, where does
9 your spouse, significant other, or partner work?

10 17. If you have children, what are their ages and occupations?

11 18. Does anyone in your family or close circle of friends work in the
12 dental field or dental industry? If so, please tell us about their work.

13 19. Do you have any opinions about companies in the dental or medical
14 products industry? If so, would you please share your opinions?

15 20. Have you had any negative experiences with any company in the
16 dental or medical products industry? If so, would you please explain?

17 21. Have you ever undergone any dental procedure other than having a
18 cavity filled, a tooth pulled, or a cleaning?

19 22. Have you undergone any dental procedure that involved a dental
20 crown, bridge, cap, inlay, or onlay?

21 23. Do you know anything about a material called zirconia? If so, what do
22 you know?

23 24. Have you, a family member, or someone in your close circle of friends
24 ever been treated for teeth grinding? If so, would you please
25 elaborate?

26 25. Does anyone in your family or close circle of friends work for any of
27 the following companies? –

28 a. James R. Glidewell Dental Ceramics

- b. Glidewell Laboratories
 - c. Keating Dental Arts, Inc.
 - d. The law firm of Snell & Wilmer
 - e. The law firm of Knobbe, Martens, Olson & Bear
 - f. The law firm, Enterprise Counsel Group
26. Have you heard or read anything about this case before stepping into the courtroom today? If so, what have you heard or read?
 27. Have you ever owned a business? If so, what type of business(es) have you owned? Do you still own that business? If not, why not?
 28. Have you ever been involved in selecting a name for a product?
 29. Have you ever been involved in registering a trademark?
 30. Have you ever been involved in any area of intellectual property, such as trademarks, patents, or copyrights? If so, please explain your experience.
 31. Have you ever been involved in marketing or advertising? If so, would you please explain that experience?
 32. Do you have any experience or training in the law? If so, would you please explain your legal training or experience?
 33. Have you, a family member, or close friend ever been involved in a lawsuit?
 - a. If so, what was the lawsuit?
 - b. Were you/they satisfied with the outcome?
 - c. Do you feel that the outcome was fair?
 - d. Why or why not?
 34. Have you, a family member, or close friend ever had to testify in Court or at a deposition?
 - a. What were the circumstances?
 - b. How did you/they feel about testifying?

- 1 35. Do you, a family member, or close friend have any experience in the
2 legal field or court system? If so, please tell us about your/their
3 experience.
- 4 36. Have you ever sat as a juror?
- 5 a. If so, how many times and when? Please give details of each
6 occasion, such as whether it was a civil or criminal trial, etc.
- 7 b. What did you think about your experience(s) as a juror?
- 8 (1) What did you like best?
- 9 (2) What did you like least?
- 10 c. Is there anything about that experience that you think might
11 influence the way you think about this case?
- 12 d. Were you satisfied with the process and/or outcome of that
13 case/those cases?
- 14 e. Do you think there was anything that could have been done to
15 improve your experience? (for example, by the court, lawyers,
16 or others?)
- 17 f. Did you serve as the foreperson?
- 18 37. Did you know or recognize any of the other potential jurors before
19 coming to court today? If so, who do you know and how do you
20 know them?
- 21 38. Would your service on this case for approximately 8 days create any
22 hardship for you or your family?
- 23 39. Do you believe that a lawsuit filed against someone or some company
24 means that the person or company did something improper or
25 unlawful? If so, why? Is your belief based on a personal experience
26 or the experience of a family member or friend? If so, what was that
27 experience?

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